REMARKS

Claims 1 and 12 are amended. Claims 53-70 are added. Claims 1-70 are pending for consideration. In view of the following remarks, Applicant respectfully requests reconsideration and allowance of the subject application.

Claim Rejections

35 U.S.C. § 103

Claims 1-5 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,999,932 to Paul in view of Applicant Admitted Prior Art (AAPA) and U.S. Patent No. 6,199,102 to Cobb.

Claim 6 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Paul in view of AAPA, Cobb, and U.S. Patent No. 5,459,717 to Mullan.

Claims 7-8 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Paul in view of AAPA, Cobb, and U.S. Patent No. 6,072,942 to Stockwell.

Claims 9-11 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Paul in view of AAPA, Cobb, and U.S. Patent No. 6,199,103 to Sakaguchi.

Claims 12-15, 24-27, 29, 30, 33-36, 38, 40 and 41 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Cobb in view of AAPA, Stockwell, and Sakaguchi.

Claims 16, 23, 31, and 32 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Cobb in view of AAPA, Stockwell, Sakaguchi, and Mullan.

Claims 17 and 37 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Cobb in view of AAPA, Stockwell, Sakaguchi and U.S. Patent No. 5,911,776 to Guck.

Claims 18, 28, and 39 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Cobb in view of AAPA, Stockwell, Sakaguchi and Paul.

Claims 19-21 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Sakaguchi in view of Stockwell.

Claim 22 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Sakaguchi in view of AAPA, Stockwell, and Guck.

Claim 42 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Cobb in view of AAPA and Sakaguchi.

Claims 43-45 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Cobb in view of AAPA, Sakaguchi, and U.S. Patent No. 6,144,934 Stockwell.

Claim 46 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Cobb in view of AAPA, Sakaguchi, Stockwell '934, and Mullan.

Claim 47 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Cobb in view of AAPA, Sakaguchi, Stockwell '934 in further view of Stockwell '942.

Claim 48 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Paul in view of AAPA and Sakaguchi.

Claim 49 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Paul in view of AAPA, Sakaguchi and Stockwell '942.

Claim 50 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Paul in view of AAPA, Sakaguchi, and Cobb.

Claim 51 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Paul in view of AAPA, Sakaguchi, and Mullan.

Claim 52 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Paul in view of AAPA, Sakaguchi and Guck.

The Primary References to Paul, Cobb and Sakaguchi

The reference to **Paul** discloses a system for eliminating unsolicited electronic mail that generates and stores a user inclusion list including identification data for identifying e-mail desired by the user. An e-mail filter filters incoming mail received in the user's e-mail store based upon three fields of data contained in the incoming e-mail, the "FROM" field, the "TO" field and the "SUBJECT" field. Filtering may also include the "CC" and "BCC" fields to filter e-mail messages on which the user is listed as a CC or BCC recipient rather than a direct recipient.

Data from one or more fields of incoming electronic mail messages are compared with the identification data stored in the user inclusion list. If the electronic mail message data matches corresponding identification data from the user inclusion list, the e-mail message is marked with a first display code, such as "OK." If no match is detected, the system performs at least one heuristic process to determine whether the electronic mail message may be of interest to the user. If the message satisfies one or more criteria as determined by the heuristic process and is therefore of potential interest to the user, the message is marked with a second display code, such as "NEW." If the e-mail message does not satisfy any of the heuristic criteria, the e-mail message may be marked with a third display code, such as "JUNK." The processed e-mail messages are displayed to the user in a display mode corresponding to the display codes respectively assigned to the messages.

The **Cobb** reference discloses a system and method for filtering unsolicited electronic commercial messages. The disclosed system screens out unsolicited commercial messages by receiving the message from a sender, sending a challenge back to the sender, receiving a response to the challenge, and determining if the response is a proper response.

The **Sakaguchi** reference discloses a system that can generate determination conditions and determine whether email is junk email based on one determination condition. The system comprises a junk electronic mail determination processing section for determining whether or not a given electronic mail piece, through an input section, is junk based on the determination condition stored in a junk electronic mail determination condition storage section. An estimated junk electronic mail storage section stores the electronic mail piece if the electronic mail piece is determined to be junk. A junk electronic mail exemplification learning section analyzes content information of the electronic mail piece stored in the storage section and extracts a feature amount to determine that electronic mail is junk, and adds the extracted feature amount to the junk electronic mail determination condition storage section as a junk electronic mail determination condition. A keyword vector is used as the determination condition.

The Secondary References

The secondary references used in the Office's combination, and which are not discussed above, are the references to Stockwell (Patent Nos. 6,072,942 and 6,144,934), Mullan, and Guck.

The reference to **Stockwell (the '942 patent)** discloses a system and method for filtering electronic mail messages. A message is received and

processed through one or more filter flows. Each filter flow is comprised of one or more self-contained nodes which can be combined in whatever order is required to enforce a given security policy. Node independence provides a policy-neutral environment for constructing filter flows. A filter flow may be as simple as forwarding the mail to the intended recipient, or may perform one or more checks where it decides whether to forward, reject, return (or some combination thereof) the message. Certain node types are also able to append information on to a mail message, while others are able to modify certain parts of a mail message. Several of the node types are able to generate audit or log messages in concert with processing a mail message.

The reference to **Stockwell (the '934 patent)** discloses an electronic message filtering system and method in which a message is received as input to a filter and decomposed into a set of components. The set of components is then processed through a pattern matching algorithm to determine if the message contents contain patterns inherent in a specified pattern, such as a natural language. The results of the pattern match analysis are output by the filter.

The reference to **Mullan** discloses a method and apparatus for routing a message embodied in a signal received by an electronic messaging system. The method includes formatting a search key using address codes parsed from a user address specified in the message, where each of the address codes corresponds to a different level of specificity for the user address. An attempt is made to retrieve a record from a database of routing information using the search key. If no record is found, the address code corresponding to the most detailed level of specificity in the user address is stripped from the search key and another attempt is made to

retrieve a record. This process continues until a record is successfully retrieved from the database or a predetermined base level of specificity is reached.

The reference to **Guck** discloses a network providing a server using an object-database that enables an author to create and store an original document, as a source file with a first format. Software in the data base provides multiple sets of shadow file-converter groups connected to the source file of the original document. Each shadow file-converter set enables the transformation of the original source file format into a particular other specific type of format. A client or user of the network can access and receive a copy of the original source document which is automatically reformatted to match the requirements of the receiver's appliance. Thus, one original source document can be created and then published in any specific format to multiple numbers of and types of receiving appliances.

Claims 1-11

Claim 1 recites an email filtering method. In accordance with the recited method, at least one heuristic determines whether an incoming email message likely constitutes unsolicited commercial email by considering an established pattern that such unsolicited commercial email typically exhibits when it is sent. The recited heuristic is applied to at least one email message. In accordance with the recited method, at least one email message is redirected if application of the heuristic indicates that the email message likely constitutes unsolicited commercial email.

The claim has been amended to clarify that the act of redirecting comprises placing a copy of the email message at a location *not dedicated to storage of just*

one particular user's email. Support for this feature is provided in the specification, particularly on page 12, line 20 through page 13, line 3.

In making out the rejection of this claim, the Office argues that Paul discloses an email filtering system as recited but does not disclose the redirection feature. The Office then relies on Cobb for this feature.

In view of the amendment of this claim which clarifies the redirection destination, Applicant respectfully traverses the Office's rejection. None of the references cited by the Office disclose or suggest an email filtering method in which redirecting an email message likely to constitute unsolicited commercial email comprises placing a copy of the email message at a location *not dedicated to storage of one particular user's email.* Rather, Cobb's redirection feature appears to place the email into the *user's* "Deleted" folder. Because Cobb uses a location that *is dedicated* to the storage of one particular user's email, it *teaches directly away* from Applicant's claimed redirection feature. Accordingly, for at least this reason, claim 1 is allowable.

Claims 2-11 depend either directly or indirectly from claim 1 and are allowable as depending from an allowable base claim. These claims are also allowable for their own recited features which, in combination with those recited in claim 1, are neither disclosed nor taught by the references of record, either singly or in combination with one another.

In addition, with respect to those claims that are rejected in further view of Mullan, Stockwell, and Sakaguchi, those references are not seen to add anything of significance given the allowability of this claim.

Claims 12-18

Claim 12 recites an email filtering method. In accordance with the recited method, an email message addressed to a plurality of recipients is received at an email server that maintains inboxes for individual recipients. In accordance with the recited method, a score is calculated for the email message at the server location based upon at least one of (a) the size of the email message, and (b) the number of specified recipient addresses. The score is compared with a threshold value that defines a likelihood of whether an email message constitutes an unwanted email message. The claim has been amended to clarify that, responsive to the email message exceeding the threshold value, a copy of the email message is placed at a first location *other than an individual storage location dedicated to an individual intended recipient of the email message*. A notification is recited to be sent to the intended recipients that a copy of an email message that was intended for them has been placed at the first location.

In making out the rejection of claim 12, the Office argues that the combination of Cobb and Stockwell teach the recited subject matter except for calculating a score based on the patterns and comparing this score to a threshold which, if exceeded, places the email at a first location other than any of the intended recipients' inboxes and sends a notification to the intended recipient. The Office then argues that Sakaguchi teaches the missing features.

In view of the amendment of this claim which clarifies the first location is one *other than an individual storage location dedicated to an individual intended recipient of the email message*, Applicant respectfully traverses the Office's rejection. Specifically, none of the references cited by the Office disclose or suggest placing a copy of the email message at a first location *other than an*

individual storage location dedicated to an individual intended recipient of the email message. Rather, Sakaguchi discloses a method of sorting e-mail into estimated junk e-mail and estimated non-junk e-mail and adding them to their respective storage units 5 and 6 in Fig. 1. In column 10, lines 17-19, Sakaguchi discloses that e-mail storage locations 5 and 6 are provided by the hard drive 25 of the stand-alone computer of Fig. 7. Therefore, Sakaguchi appears to add estimated junk e-mail to a location that *is dedicated* to an individual intended recipient of the e-mail message. As such, Sakaguchi teaches directly away from Applicant's claimed redirection feature. Accordingly, for at least this reason, claim 12 is allowable.

Claims 13-18 depend from claim 12 and are allowable as depending from an allowable base claim. These claims are also allowable for their own recited features which, in combination with those recited in claim 12, are neither disclosed nor taught by the references of record, either singly or in combination with one another.

In addition, with respect to those claims that are rejected in further view of Mullan, Guck and Paul, those references are not seen to add anything of significance given the allowability of this claim.

<u>Claims 19-23</u>

Claim 19 recites a computer program stored on one or more computer readable media for processing email and comprising the steps of receiving an email message at a server location, the email message being addressed to a *plurality of recipients*, placing *only one copy* of the email message at a first

location that is *not a dedicated storage location for just one of the intended recipients*, and notifying each of the intended recipients that an email message intended for them has been placed at the first location.

In making out the rejection of this claim, the Office argues that Sakaguchi discloses the steps of this claim. The Office cites to column 8, lines 31-34 of Sakaguchi to support its argument. That except is set forth below:

> . . . a method of sorting electronic mail into estimated junk electronic mail and estimated non-junk electronic mail and adding them to their respective storage units (not shown). . . .

Applicant respectfully traverses the Office's rejection. There is no indication that Sakaguchi, or any other reference cited by the Office, places *only one copy* of an email message addressed to a *plurality of recipients* at a first storage location that is *not a dedicated storage location for just one of the intended recipients.* Rather, Sakaguchi discloses a method of sorting e-mail into estimated junk e-mail and estimated non-junk e-mail and adding them to their respective storage units 5 and 6 in Fig. 1. In column 10, lines 17-19, Sakaguchi discloses that e-mail storage locations 5 and 6 are provided by the hard drive 25 of the stand-alone computer of Fig. 7. Therefore, Sakaguchi appears to add estimated junk e-mail to a location that is *dedicated* to an individual intended recipient of the e-mail message. As such, Sakaguchi teaches directly away from Applicant's claimed redirection feature. Accordingly, for at least this reason, claim 19 is allowable.

Claims 20-23 depend from claim 19 and are allowable as depending from an allowable base claim. These claims are also allowable for their own recited features which, in combination with those recited in claim 19, are neither disclosed

nor taught by the references of record, either singly or in combination with one another.

In addition, with respect to those claims that are rejected in further view of Mullan and Guck, those references are not seen to add anything of significance given the allowability of this claim.

Claims 24-33

Claim 24 recites a programmed email server that contains computer-readable instructions which, when executed by the email server, perform steps comprising determining whether an email message that is received by the email server likely constitutes an unwanted email message, and, if the email message likely constitutes an unwanted email message, storing a copy of the email message at a first storage location *rather than individual storage locations that are dedicated to individual intended recipients of the email message.* Intended recipients of the email message are notified that an email message addressed to them has been received by the server.

In making out the rejection of this claim, the Office argues that Sakaguchi discloses storing a copy of the email message at a first storage location rather than individual storage locations that are dedicated to individual intended recipients of the email message. The Office again cites to column 8, lines 31-34 of Sakaguchi to support its argument. That except is set forth below:

> . . . a method of sorting electronic mail into estimated junk
> electronic mail and estimated non-junk electronic mail and
> adding them to their respective storage units (not shown). . . .

Applicant respectfully traverses the Office's rejection. There is no indication that Sakaguchi, or any other reference cited by the Office, stores a copy of the email message at a first storage location *rather than individual storage locations that are dedicated to individual intended recipients of the email message.* Rather, Sakaguchi discloses a method of sorting e-mail into estimated junk e-mail and estimated non-junk e-mail and adding them to their respective storage units 5 and 6 in Fig. 1. In column 10, lines 17-19, Sakaguchi discloses that e-mail storage locations 5 and 6 are provided by the hard drive 25 of the stand-alone computer of Fig. 7. Therefore, Sakaguchi appears to add estimated junk e-mail to a location that is *dedicated* to an individual intended recipient of the e-mail message. As such, Sakaguchi teaches directly away from Applicant's claimed redirection feature. Accordingly, for at least this reason, claim 24 is allowable.

Claims 25-33 depend from claim 24 either directly or indirectly and are allowable as depending from an allowable base claim. These claims are also allowable for their own recited features which, in combination with those recited in claim 24, are neither disclosed nor taught by the references of record, either singly or in combination with one another.

In addition, with respect to those claims that are rejected in further view of Paul and Mullan, those references are not seen to add anything of significance given the allowability of this claim.

Claims 34-39

Claim 34 recites an email screening method. In accordance with the recited method, a profile of unsolicited commercial email is developed based upon

the size of an email message and the number of specified recipient addresses of the email message. A mail server that is responsible for storing and distributing email messages to a plurality of clients is configured with a filter processor that is programmed to evaluate email messages that are received in light of the developed profile. If an email message fits the developed profile, a remedial measure is initiated to ensure that the *mail server does not make as many copies of the email message as there are specified recipient addresses*.

In making out the rejection of this claim, the Office argues that Sakaguchi discloses initiating a remedial measure that ensures that the mail server does not make as many copies of the email message as there are specified recipient addresses. The Office cites to column 1, line 67 through column 2, line 4 of Sakaguchi to support its argument. That except is set forth below:

> . . . determining whether or not a given electronic piece is junk based on a determination condition stored in a junk electronic mail determination condition storage section, if the electronic mail piece is determined junk, storing it in an estimated junk electronic mail storage section . . .

Applicant respectfully traverses the Office's rejection. There is no indication that Sakaguchi, or any other reference cited by the Office, teaches or suggests initiating a remedial measure that ensures that the *mail server does not make as many copies of the email message as there are specified recipient addresses*. Rather, Sakaguchi discloses a method of sorting e-mail into estimated junk e-mail and estimated non-junk e-mail and copying them to their respective storage units 5 and 6 in Fig. 1. In column 10, lines 17-19, Sakaguchi discloses that the e-mail storage locations 5 and 6 are provided by the hard drive 25 of the stand-

alone computer of Fig. 7. Therefore, Sakaguchi appears to disclose making one copy of the email for one recipient address. Accordingly, for at least this reason, claim 34 is allowable.

Claims 35-39 depend either directly or indirectly from claim 34 and are allowable as depending from an allowable base claim. These claims are also allowable for their own recited features which, in combination with those recited in claim 34, are neither disclosed nor taught by the references of record, either singly or in combination with one another.

In addition, with respect to those claims that are rejected in further view of Guck and Paul, those references are not seen to add anything of significance given the allowability of this claim.

Claims 40-41

Claim 40 recites an email delivery method. In accordance with the recited method, a bulk email folder is established in which bulk email is to be stored. An email server is configured to receive email messages and deliver them *either* to multiple server storage locations that are dedicated to storing email messages for respective recipients or to a *single, shared location that can be shared by a plurality of the recipients*. An email message is received, and the sender's address is compared with a recipient's list of approved senders. The email message is delivered to the *single, shared location* if the email message is not directly addressed to a recipient that is serviced by the server, and the sender's address does not appear in the recipient's list of approved senders.

In making out the rejection of this claim, the Office argues that Sakaguchi discloses configuring an email server to receive email messages and deliver them either to multiple server storage locations that are dedicated to storing email messages for respective recipients or to a single, shared location that can be shared by a plurality of the recipients. The Office again cites to column 1, line 67 through column 2, line 4 of Sakaguchi to support its argument. That except is set forth below:

> . . . determining whether or not a given electronic piece is junk based on a determination condition stored in a junk electronic mail determination condition storage section, if the electronic mail piece is determined junk, storing it in an estimated junk electronic mail storage section . . .

Applicant respectfully traverses the Office's rejection. There is no indication that Sakaguchi, or any other reference cited by the Office, teaches or suggests an email server is configured to receive email messages and deliver them *either* to multiple server storage locations that are dedicated to storing email messages for respective recipients or to a *single, shared location that can be shared by a plurality of the recipients.* Rather, Sakaguchi discloses a method of sorting e-mail into estimated junk e-mail and estimated non-junk e-mail and adding them to their respective storage units 5 and 6 in Fig. 1. In column 10, lines 17-19, Sakaguchi discloses that e-mail storage locations 5 and 6 are provided by the hard drive 25 of the stand-alone computer of Fig. 7. Therefore, Sakaguchi's email server is configured to deliver email messages *only* to storage locations for

storing email messages for one particular recipient. As such, Sakaguchi teaches *directly away* from Applicant's claimed delivery feature.

The Office also argues that Cobb discloses delivering the email message to the single, shared location if: (a) the email message is not directly addressed to a recipient that is serviced by the server, and (b) the sender's address does not appear in the recipient's list of approved senders. The Office cites to column 3, lines 52-62 of Cobb to support its argument. That except is set forth below:

> . . . Each of the message filtering methods has weaknesses that can and typically are exploited by junk email senders. The source list method requires a message sender to be on a list (either an acceptance or blocking list) in order to permit the filter to take action. A message from an unknown sender (frequently a solicitor) cannot be discarded because it might be from, for example, a new business contact or a long-lost friend. By constantly using new sender addresses, a solicitor can assure that junk messages will pass through a source list filter and come to rest in a temporary or miscellaneous category reserved for messages that are not actionable. Messages in this category must typically, at least briefly, be scanned by the recipient – a successful defeat of the filtering mechanism.

Applicant again traverses the Office's rejection. There is no indication that Cobb, or any other reference cited by the Office, teaches or suggests delivering the email message to the *single, shared location* if: (a) the email message is not directly addressed to a recipient that is serviced by the server, and (b) the sender's address does not appear in the recipient's list of approved senders. Rather, Cobb's redirection feature appears to place the email into the *user's* "Deleted" folder. Because Cobb uses a location that is *not shared* by a plurality of recipients, it *teaches directly away* from Applicant's claimed delivery feature. Accordingly, for at least these reasons, claim 40 is allowable.

Claim 41 depends from claim 40 and is allowable as depending from an allowable base claim. This claim is also allowable for its own recited features which, in combination with those recited in claim 40, are neither disclosed nor taught by the references of record, either singly or in combination with one another.

Claim 42

Claim 42 recites an email screening method. In accordance with the recited method, a profile of unwanted email messages is developed based upon whether an email message is similar in content to another email message. A mail server that is responsible for storing email messages for a plurality of clients is configured with a filter processor that is programmed to evaluate email messages that are received in light of the developed profile. Email messages are evaluated with the filter processor and determined whether they fit the developed profile. If the email message fits the developed profile, a copy of the email message is placed in a first location and, *rather than placing multiple copies of the email message in multiple dedicated client storage locations*, the multiple clients are notified that an email message addressed to them has been received.

In making out the rejection of this claim, the Office argues that Sakaguchi discloses, if the email message fits the developed profile, placing a copy of the email message placed in a first location and, rather than placing multiple copies of the email message in multiple dedicated client storage locations, notifying the multiple clients that an email message addressed to them has been received. The

Office cites to column 8, lines 22-26 of Sakaguchi to support its argument. That

except is set forth below:

> . . . Further, in the embodiment, the determination result of
> the junk electronic mail determination processing section 2 is
> also fed into a determination result notification section 12,
> which enables the user to specify a notification method to the
> receiving person separately for estimated junk electronic mail
> and estimated non-junk electronic mail as he or she
> desires. . . .

Applicant respectfully traverses the Office's rejection. There is no

indication that Sakaguchi, or any other reference cited by the Office, teaches or

suggests that, if the email message fits the developed profile, placing a copy of the

email message placed in a first location and, *rather than placing multiple copies*

of the email message in multiple dedicated client storage locations, notifying the

multiple clients that an email message addressed to them has been received.

Accordingly, for at least this reason, claim 42 is allowable.

Claims 43-47

Claim 43 recites an email screening method. In accordance with the

recited method, an index is defined having values that are assigned to various

degrees of desirability that an email message can have. The degrees of desirability

are recited to extend from a low degree of desirability to a high degree of

desirability. A plurality of parameters having parameter values are associated with

the various degrees of desirability and at least some of the parameters do not

depend on any message that is conveyed by any content of an email message. A

user interface is established through which a user can adjust either (a) individual

parameter values that, in turn, establish a degree of desirability, or (b) index values that themselves establish a degree of desirability that email messages must have *in order to be saved to dedicated user storage locations*.

In making out the rejection of this claim, the Office argues that Sakaguchi discloses establishing a user interface through which a user can adjust either (a) individual parameter values that, in turn establish a degree of desirability, that email messages must have in order to be saved to dedicated user storage locations. The Office cites to column 6, lines 28-29 of Sakaguchi to support its argument. That except is set forth below:

> ... The user can also see the data stored in the estimated junk electronic mail storage section. ...

Applicant respectfully traverses the Office's rejection. There is no indication that Sakaguchi, or any other reference cited by the Office, teaches or suggests establishing a user interface through which a user can adjust either (a) individual parameter values that, in turn, establish a degree of desirability, or (b) index values that themselves establish a degree of desirability that email messages must have *in order to be saved to dedicated user storage locations*. The excerpt cited above simply describes the user's ability to see the data stored in the estimated junk electronic mail storage section. Accordingly, for at least this reason, claim 43 is allowable.

Claims 44-47 depend from claim 43 and are allowable as depending from an allowable base claim. These claims are also allowable for their own recited

features which, in combination with those recited in claim 43, are neither disclosed nor taught by the references of record, either singly or in combination with one another.

Claims 48-52

Claim 48 recites an email server system comprising a user storage database configured to store user information including email messages that are intended for individual users. A server is configured to receive email messages that are intended for various users and store the email messages in dedicated user storage locations within the user storage database. The server is further configured to screen email messages based upon a set of heuristics that determine whether an email message likely constitutes an unwanted email message and places a *single copy* of an email message in a storage location that is *not a dedicated user storage location* if it is determined by screening the email message that it likely constitutes an unwanted email message.

In making out the rejection of this claim, the Office argues that Sakaguchi discloses placing a single copy of an email message in a storage location that is not a dedicated user storage location if it is determined by screening the email message that it likely constitutes an unwanted email message. The Office cites to column 8, lines 31-34 of Sakaguchi to support its argument. That except is set forth below:

> . . . a method of sorting electronic mail into estimated junk electronic mail and estimated non-junk electronic mail and adding them to their respective storage units (not shown) . . .

Applicant respectfully traverses the Office's rejection. There is no indication that Sakaguchi, or any other reference cited by the Office, teaches or suggests placing a *single copy* of an email message in a storage location that is *not a dedicated user storage location* if it is determined by screening the email message that it likely constitutes an unwanted email message. Rather, Sakaguchi discloses a method of sorting e-mail into estimated junk e-mail and estimated non-junk e-mail and adding them to their respective storage units 5 and 6 in Fig. 1. In column 10, lines 17-19, Sakaguchi discloses that e-mail storage locations 5 and 6 are provided by the hard drive 25 of the stand-alone computer of Fig. 7. Therefore, Sakaguchi appears to add estimated junk e-mail to a location that *is* a dedicated user storage location. As such, Sakaguchi teaches directly away from Applicant's claimed feature. Accordingly, for at least this reason, claim 48 is allowable.

Claims 49-52 depend from claim 48 and are allowable as depending from an allowable base claim. These claims are also allowable for their own recited features which, in combination with those recited in claim 48, are neither disclosed nor taught by the references of record, either singly or in combination with one another.

New Claims

Claim 53 recites an email filtering method comprising:

- defining at least one heuristic that determines whether an incoming email message likely constitutes unsolicited commercial email by considering an established pattern that such unsolicited commercial email typically exhibits when it is sent;
- applying said at least one, heuristic to at least one email message; and
- redirecting said at least one email message if application of said at least one heuristic indicates that said at least one email message likely constitutes unsolicited commercial email, wherein said redirecting comprises placing a copy of the email message at a location not dedicated to storage of just one particular user's email.

None of the references of record disclose or suggest the features of this claim. Accordingly, this claim is allowable.

Claims 54-63 depend from claim 53 and are allowable as depending from an allowable base claim. These claims are also allowable for their own recited features which, in combination with those recited in claim 53, are neither disclosed nor taught by the references of record, either singly or in combination with one another.

Claim 64 recites an email filtering method comprising:

- receiving an email message at an email server that maintains inboxes for individual recipients;
- calculating a score for the email message at the server location based upon at least one of (a) the size of the email message, and (b) the number of specified recipient addresses;

- comparing the score with a threshold value that defines a likelihood of whether an email message constitutes an unwanted email message;
- responsive to the email message exceeding the threshold value, placing a copy of the email message at a first location other than an individual storage location dedicated to an individual intended recipient of the email message; and
- sending a notification to the intended recipients that a copy of an email message that was intended for them has been placed at the first location.

None of the references of record disclose or suggest the features of this claim. Accordingly, this claim is allowable.

Claims 65-70 depend from claim 64 and are allowable as depending from an allowable base claim. These claims are also allowable for their own recited features which, in combination with those recited in claim 64, are neither disclosed nor taught by the references of record, either singly or in combination with one another.

Conclusion

All of the claims are in condition for allowance and Applicant respectfully requests a Notice of Allowability be issued forthwith. If the next anticipated action is to be anything other than issuance of a Notice of Allowability, Applicant respectfully requests a telephone call for the purpose of scheduling an interview.

Respectfully Submitted,

Dated: 4/25/03

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